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FILED IN UNITED STATES DISTRICT
COURT, DISTRICT OF UTAH

OCT 01 2015

D. MARK JONES, CLERK
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IN THE UNITED STATES DISTRICT COURT
DISTRICT OF UTAH, NORTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

DAYSI BENITEZ-SOSA and
HECTOR DANIEL LOPEZ-OCHA,

Defendants.

Case No.

2:15mj338 BCW

COMPLAINT

Judge Brooke C. Wells

Before the Honorable Brooke C. Wells, United States Magistrate Court Judge for
the District of Utah, appeared the undersigned, who on oath deposes and says:

COUNT I

21 U.S.C. § 841(a)(1) & 18 U.S.C. § 2

**(Possession of Methamphetamine with Intent to Distribute and Aiding and
Abetting)**

On or about September 28, 2015 in the Northern Division of the District of Utah,

DAYSI BENITEZ-SOSA and HECTOR DANIEL LOPEZ-OCHA,
defendants herein, did knowingly and intentionally possess with intent to distribute five
hundred (500) grams and more of a mixture or substance containing a detectable amount of

methamphetamine, a Schedule II controlled substance, within the meaning of 21 U.S.C. § 812; all in violation of 21 U.S.C. §841(a)(1) and 18 U.S.C. § 2 and punishable pursuant to 21 U.S.C. §841(b)(1)(A).

Complainant states that this complaint is based on information obtained through an investigation consisting of the following:

1. Complainant is a Special Agent (SA) with the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) assigned to the Salt Lake City Field Office of the Denver Field Division. Complainant has been employed as an SA at ATF since July 2007. He has received specialized training from the Federal Law Enforcement Training Center in Glynco, Georgia. During the course of his employment with ATF, he has conducted and assisted in dozens of criminal investigations of Federal and State Criminal violations. Furthermore, he has participated in the execution of Federal and State arrest and search warrants for firearms, explosives, arson, and narcotics violations. He has also conducted dozens of interviews of suspects, witnesses, and informants relating to various types of crimes. Complainant is authorized to investigate violations of laws of the United States and is a law enforcement officer with the authority to execute warrants issued under the authority of the United States. Complainant is familiar with the facts and circumstances alleged in this complaint.

2. On September 28, 2015, a confidential informant (CI) made arrangements to purchase fifteen pounds (15lbs) of Methamphetamine from Daysi Benitez-Sosa at a storage unit located in the area of 1950 West 1900 South, West Haven, Utah. The deal

was planned for approximately 7:00pm. The CI received buy money for the purchase of the illegal narcotics from law enforcement agents. The CI was also searched pursuant to protocols prior to the meeting with Ms. Benitez-Sosa.

3. At approximately 7:11 pm, Ms. Benitez-Sosa was seen leaving her apartment at 1431 North 900 West #K1, Harrisville, Utah and got into a Nissan Maxima with paper tags. Through a phone conversation with the CI, Ms. Benitez-Sosa arrived in the area of the storage units, still driving the Nissan Maxima.

4. At that point, the CI got into Ms. Benitez-Sosa's vehicle and then drove down to the storage unit that was pre-determined as the meeting location. A conversation took place between the two and then they got back into the Nissan and drove back to the front of the storage unit area.

5. Ms. Benitez-Sosa then placed a call to Hector Daniel Lopez-Ocha in front of the CI. A few minutes later, law enforcement agents observed Mr. Lopez-Ocha leaving the same apartment as Ms. Benitez-Sosa in Harrisville. He appeared to be carrying a large object. He got into a Silver Chevy Silverado with UT License Plate Number D315ZU and left the apartment complex.

6. At approximately 7:48 pm, Mr. Lopez-Ocha arrived at the front of the complex. He met up with the CI and Ms. Benitez-Sosa. The CI got into the passenger side of the Chevy Silverado and Ms. Benitez-Sosa got into a Black Nissan Armada that also arrived with the Chevy Silverado. The two vehicles were observed entering the storage unit complex and went to the pre-determined storage unit. Ms. Benitez-Sosa exited the Nissan

Armada while Mr. Lopez-Ocha and the CI exited the Chevy Silverado. The Nissan Armada then left the area. At that point, the CI determined that the illegal narcotics were in the Chevy Silverado. The arrest signal was given and law enforcement units standing by then detained Ms. Benitez-Sosa and Mr. Lopez-Ocha.

7. The Nissan Armada was also stopped by law enforcement. The Driver was identified as Manuel Rafael Lopez ^{the passenger was} and Marina Cortz-Buno.

8. A search was conducted of the Chevy Silverado. A cardboard box was located in the bed. Inside the box were located fifteen packages similar to packages received from Ms. Benitez-Sosa and Mr. Lopez-Ocha during a past methamphetamine purchase.

9. Upon finding those packages, law enforcement officers executed four state search warrants. Those searches were conducted at: 104 West 4th Street in Ogden, Utah; 1341 North 900 West, apartment K1, Harrisville, Utah; storage unit 5-12, 895 Wall Ave, Ogden and 427 13th street, Ogden Utah.

10. Law enforcement officers determined that Storage Unit 5-12 was rented by Mr. Lopez-Ocha. Inside the storage unit, agents located a cardboard box. Inside the box, three white large envelopes were located. Inside each envelope, agents found two 1lb packages of suspected methamphetamine, for a total of approximately six pounds.

11. The second search warrant at 1341 North 900 West, Apartment K1, Harrisville, Utah was executed. This was the residence of Ms. Benitez-Sosa and Mr. Lopez-Ocha. Inside the residence, agents recovered four 1lb packages of suspected

methamphetamine, for a total of four pounds, along with approximately \$27,000 in US currency.

~~11.~~ The third search warrant at 104 West 4th Street in Ogden was executed. This was the residence of Manuel LOPEZ and Marina CORTEZ-BUNO. A lock box was located and inside the lock box was approximately \$54,000 in US currency.

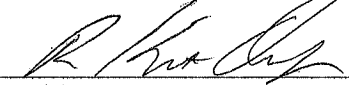
~~12.~~ The fourth search warrant was executed at 427 13th street, Ogden Utah. There were not any items seized related to Mr. Benitez-Sosa or Mr. Lopez-Ocha.

~~13.~~ Samples of the suspected methamphetamine were tested and came back with a positive indication. In total, approximately \$82,000 dollars in US currency was also seized.

~~14.~~ In sum, Your Affiant believes the defendants Daysi Benitez-Sosa and Hector Daniel Lopez-Ocha possessed more than 500 grams of methamphetamine, and distributed that methamphetamine, resulting in the seizure of approximately 25 pounds of methamphetamine (approximately 11.36 kilograms), and \$85,788 in cash.

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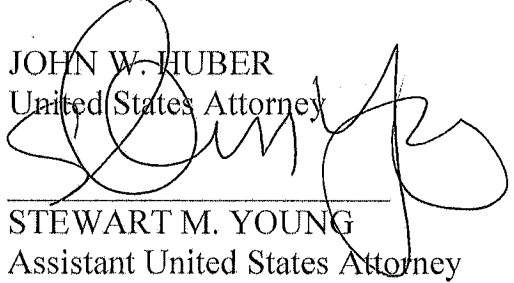
Based on the foregoing information, your affiant respectfully requests that warrants of arrest and a complaint be issued for DAYSI BENITEZ-SOSA and HECTOR DANIEL LOPEZ-OCHA, for violations of 21 U.S.C. § 841(a)(1) & 18 U.S.C. § 2.



Affiant, R. Kent Owens
Bureau of Alcohol, Tobacco, Firearms & Explosives

APPROVED:

JOHN W. HUBER
United States Attorney



STEWART M. YOUNG
Assistant United States Attorney

SUBSCRIBED AND SWORN TO BEFORE ME this 1st day of October, 2015.



BROOKE C. WELLS
United States Magistrate Judge